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*Counsel for Defendant Coinbase, Inc.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JARED FERGUSON,  
*Plaintiff,*  
v.  
COINBASE, INC.,  
*Defendant.*

Case No. 3:23-cv-01004-LB

**STIPULATION AND [PROPOSED]  
ORDER TO STAY ACTION PENDING  
ARBITRATION**

Judge: Hon. Laurel Beeler

**STIPULATION**

Pursuant to Civil Local Rule 7-12, Plaintiff Jared Ferguson and Defendant Coinbase, Inc. (“Coinbase”), by and through their respective counsel, hereby stipulate as follows:

WHEREAS, Plaintiff filed his Complaint against Coinbase on March 6, 2023;

WHEREAS, Coinbase maintains that Plaintiff’s claims are subject to mandatory arbitration, pursuant to the arbitration clause in the 2022 Coinbase User Agreement, which Coinbase contends Plaintiff accepted in February 2022;

WHEREAS, irrespective of the applicability of the 2022 Coinbase User Agreement, the parties agree to submit the disputes set forth in the Complaint in the above-entitled matter to arbitration (“Arbitration”) before the American Arbitration Association (“AAA”);

WHEREAS, Plaintiff and Coinbase have agreed that this federal action should be stayed with the Court retaining jurisdiction pending the completion of the Arbitration;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that:

1. The Court shall stay this federal action pending the parties’ completion of the Arbitration.
2. The Court shall retain jurisdiction over this action pending the completion of the Arbitration or dismissal of the action by the parties.
3. For purposes of this action and the anticipated Arbitration, any and all statute of limitations periods, prescription periods, and statute of repose periods applicable to the claims asserted in the Complaint in this action shall be tolled from the date of filing the Complaint until the latter of the conclusion of the Arbitration or the dismissal of this action.
4. Nothing in this stipulation shall constitute a waiver by either party of any claim or defense in this action, including any argument relating to the enforceability of the 2022 Coinbase User Agreement, or any portion thereof.

1 **IT IS SO STIPULATED.**

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3  
4 DATED: May 24, 2023

Respectfully submitted,

**MILLER SHAH LLP**

5  
6 /s/ Chiharu Sekino  
CHIHARU SEKINO

7  
8 DATED: May 24, 2023

**TERRELL MARSHALL LAW GROUP**

9  
10 /s/ Beth E. Terrell  
BETH E. TERRELL

11 *Attorneys for Plaintiff Jared Ferguson*

12  
13 DATED: May 24, 2023

**CONRAD | METLITZKY | KANE LLP**

14  
15 /s/ Gabriela Kipnis  
GABRIELA KIPNIS  
MATTHEW SMITH

16 *Attorneys for Defendant Coinbase, Inc.*

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18  
19 **ATTESTATION**

20 Pursuant to Local Rule 5-1(h)(3), I attest that each signatory above has concurred in the filing of  
21 this document and has authorized the use of his or her electronic signature.

22  
23  
24 DATED: May 24, 2023

/s/ Gabriela Kipnis

25 GABRIELA KIPNIS

26 *Attorneys for Defendant Coinbase, Inc.*

**[PROPOSED] ORDER**

The Court, having considered the parties' Stipulation and [Proposed] Order to Stay Action Pending Arbitration, and good cause appearing therefor, ORDERS as follows:

Plaintiff and Coinbase, Inc. shall submit their dispute to arbitration before the American Arbitration Association. The above-entitled action is stayed pending completion of arbitration, and the Court shall retain jurisdiction over this action pending the completion of arbitration or dismissal of the action by the parties.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Laurel Beeler  
United States Magistrate Judge